

# Exhibit C

**From:** [Josephine Kim](#)  
**To:** [Meiklejohn.Paul@dorsey.com](mailto:Meiklejohn.Paul@dorsey.com)  
**Cc:** [Nirav N. Desai](#); [walters@lowegrahamjones.com](mailto:walters@lowegrahamjones.com); [yang@shm.law](mailto:yang@shm.law); [kolter.erin@dorsey.com](mailto:kolter.erin@dorsey.com)  
**Subject:** RE: Conference Call  
**Date:** Wednesday, November 29, 2023 12:05:21 AM  
**Attachments:** [image001.png](#)

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Paul,

As discussed previously, Elvie intends to file its Amended Counterclaims adding the two recently issued patents: Elvie's U.S. Patent Nos. 11,806,454 and 11,813,381. Thereafter, Elvie will be filing its Motion for Alternative Service as to Shenzhen TPH and Shenzhen Root E-Commerce.

We understand from Momcozy's Answer to Elvie's Complaint filed on October 26, 2023 that Momcozy contends that Shenzhen TPH "should be indemnifying [Momcozy] fully in this case as to the S9, S12, and M1 breast pumps." DN 78 at 18. Given this position and to the extent Momcozy will seek to add Shenzhen TPH as a party to this case, we invite Momcozy to join in Elvie's Motion for Alternative Service of Process as to Shenzhen TPH. Also, please let us know if Momcozy would be prepared to share the indemnification agreement that is referred to in the Answer.

Please let us know your position.

Best regards,  
Josephine

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**Josephine Kim**

Director

**Sterne, Kessler, Goldstein & Fox P.L.L.C.**

**Email:** [joskim@sternekessler.com](mailto:joskim@sternekessler.com)

**Direct:** 202.772.8896

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**From:** Josephine Kim  
**Sent:** Thursday, September 28, 2023 5:47 PM  
**To:** 'Meiklejohn.Paul@dorsey.com' <Meiklejohn.Paul@dorsey.com>  
**Cc:** Nirav N. Desai <NDESAI@sternekessler.com>; [walters@lowegrahamjones.com](mailto:walters@lowegrahamjones.com); [yang@shm.law](mailto:yang@shm.law); [kolter.erin@dorsey.com](mailto:kolter.erin@dorsey.com)  
**Subject:** RE: Conference Call

Paul,

As to your first question: as stated in Elvie's Counterclaims footnote 1, the first allowed patent application that Elvie intends to add to the case is Application No. 17/203,292. The second allowed patent application is Application No. 18/148,864.

As to Jinruixing, we will stipulate to their dismissal with a court filing that memorializes the representations that Wu and yourself have made about Jinruixing.

Regards,  
Josephine

**Josephine Kim**  
Director  
**Sterne, Kessler, Goldstein & Fox P.L.L.C.**  
Email: [joskim@sternekessler.com](mailto:joskim@sternekessler.com)  
Direct: 202.772.8896

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**From:** [Meiklejohn.Paul@dorsey.com](mailto:Meiklejohn.Paul@dorsey.com) <[Meiklejohn.Paul@dorsey.com](mailto:Meiklejohn.Paul@dorsey.com)>  
**Sent:** Thursday, September 28, 2023 4:21 PM  
**To:** Josephine Kim <[JOSKIM@sternekessler.com](mailto:JOSKIM@sternekessler.com)>  
**Cc:** Nirav N. Desai <[NDESAI@sternekessler.com](mailto:NDESAI@sternekessler.com)>; [walters@lowegrahamjones.com](mailto:walters@lowegrahamjones.com); [yang@shm.law](mailto:yang@shm.law); [kolter.erin@dorsey.com](mailto:kolter.erin@dorsey.com)  
**Subject:** RE: Conference Call

**EXTERNAL EMAIL:** Use caution before clicking links or attachments.

Hi Josephine,

Two questions:

Could you please identify the two additional patents you intend to add to the case?

As to Jinruixing, do you intend to drop them as a party?

Paul

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**From:** Josephine Kim <[JOSKIM@sternekessler.com](mailto:JOSKIM@sternekessler.com)>  
**Sent:** Thursday, September 28, 2023 11:23 AM  
**To:** [yang@shm.law](mailto:yang@shm.law); Meiklejohn, Paul <[Meiklejohn.Paul@dorsey.com](mailto:Meiklejohn.Paul@dorsey.com)>; Kolter, Erin <[kolter.erin@dorsey.com](mailto:kolter.erin@dorsey.com)>  
**Cc:** Nirav N. Desai <[NDESAI@sternekessler.com](mailto:NDESAI@sternekessler.com)>; Mark Walters <[walters@lowegrahamjones.com](mailto:walters@lowegrahamjones.com)>  
**Subject:** RE: Conference Call

EXTERNAL FROM OUTSIDE DORSEY. BE CAUTIOUS OF LINKS AND ATTACHMENTS.

Wu and Paul,

We write to follow up on our September 12 call regarding service of the Counterclaim defendants Shenzhen Root E-Commerce Co. Ltd. ("Shenzhen Root E-Commerce") and Shenzhen Jinruixing Technology Co. Ltd. ("Jinruixing").

**Shenzhen Root E-Commerce**

As to Shenzhen Root E-Commerce, Elvie raised that there are a number of facts that appear to support Elvie's position that Shenzhen Root E-Commerce is yet another Momcozy entity for which your client should accept service. We mentioned:

1. Shenzhen Root E-Commerce's information appeared on the Momcozy webpage last year;
2. Shenzhen Root E-Commerce corresponded on behalf of "Momcozy" in the cease-and-desist letter exchange in 2022 that preceded this case;
3. Shenzhen Root E-Commerce was represented by yourself (Wu) at SHM and Merchant & Gould in that 2022 cease-and-desist letter exchange;
4. Pan Silin stated under penalty of perjury in a May 14, 2023 declaration that "Shenzhen Root E-Commerce Co., Ltd." was the *same corporate entity* as Plaintiff Shenzhen Root Technology Co., Ltd. (Dkt. 39 at para 2); and
5. The address for Counterclaim Defendant Shenzhen Root E-Commerce is "**2F2-208** Shenzhou Computer Building, Curie Madame Avenue, Longgang District, Shenzhen, China," which is in the same building as and just a few doors away from Plaintiff Shenzhen Root Technology Co., Ltd.'s address ("**2F2-201** Shenzhou Computer Building, Curie Madame Avenue, Longgang District, Shenzhen, China."). See Dkt. 69 (Elvie's Answer and Counterclaims to Amended Complaint at 26, 28).

Despite all this, you maintained that Counterclaim Defendant Shenzhen Root E-Commerce is a different and completely unrelated entity from Momcozy, that the identical names were a coincidence, that the proximity of address was also a coincidence, and that because Counterclaim Defendant Shenzhen Root E-Commerce has a different USCC code than Plaintiffs, the former is a different and unrelated entity. You continued to raise the position that this was just a big misunderstanding based on English translation issues (i.e., that the translator improperly translated "loo-tuh" to "Root"). You repeatedly maintained that your client ceased using the English name "Shenzhen Root E-Commerce" and then a completely unrelated company adopted the *same* English name and moved into the *same* building, but is unrelated.

You encouraged us to further investigate the issue and, having done so, we have discovered that the allegedly unrelated company that adopted the cast-off English name has an officer who writes blog posts for Momcozy and is the named inventor on Momcozy patents. Specifically, the General Manager and Executive Director of Counterclaim Defendant Shenzhen Root E-Commerce is Yongge Zheng. See Dkt. 53, Ex. 4 (attached, showing that Yongge Zheng is the shareholder, Executive Director, and General Manager for Shenzhen Lute (Root) E-Commerce Co. Ltd at 2F2-201 Shenzhou Computer Building, Madame Curie Avenue, Longgang District, Shenzhen, China, whose name was recently changed to Shenzhen Yuyou Technology Co., Ltd.). Upon investigation, it appears that Yongge Zheng has *numerous* ties to Momcozy and Pan Silin:

1. In 2018 and 2019 Yongge Zheng wrote blog entries on [Momcozy.com](https://momcozy.com) <https://momcozy.com/blogs/news-1/10-things-you-should-know-about-breastfeeding> (dated Feb. 15, 2018) and <https://momcozy.com/blogs/news-1/14-things-to-do-while-you-re-breastfeeding> (dated Feb. 22, 2019).
2. Yongge Zheng is the named inventor on numerous Momcozy patents and applications (copies attached):
  - a. U.S. patent application 2022/0386711 filed in 2021, the applicant for which is Counterclaim Defendant "She[n]zhen Lutejiacheng Network Technology Co., Ltd." in

- Shenzhen China, for whom Momcozy has already accepted service.
- b. US Design Patent D998,934 issued last week (Sept 19, 2023) and assigned to Counterclaim Defendant Shenzhen Lutejiacheng Network Technology Co., Ltd., who is a Momcozy entity.
  - c. U.S. Design Patent D916,487 issued on April 20, 2021 and assigned to She[n]zhen Root E-Commerce Co., Ltd. in Shenzhen China.
  - d. U.S. patent application 2021/0309440 filed in 2020, the applicant for which is She[n]zhen Root E-Commerce Co., Ltd. in Shenzhen China.
3. It also appears that Yongge Zheng and Pan Silin are co-inventors on a Chinese patent owned by Shenzhen Yuyou Technology Co., Ltd. (formerly Shenzhen Root E-Commerce).

In view of these facts, it appears to us that your representations on our September 12, 2023 call “guaranteeing” that Shenzhen Root E-Commerce was an unrelated entity were **incorrect**. Given your repeated refusal to accept service on behalf of this entity, Elvie intends to file a Motion for Alternative Service asking the Court’s permission to serve Shenzhen Root E-Commerce through U.S. counsel for Momcozy in this litigation (SHM, Dorsey law firm, and Merchant & Gould) and via process server on Momcozy’s U.S. address listed on Momcozy’s website.

#### **Jinruixing**

As to the Jinruixing entity, you represented on our September 12 call that Jinruixing is not the name of any Momcozy entity and that the Momcozy entity selling on Amazon was “Shenzhen Jinruihang Technology Co., Ltd.,” a counterclaim defendant for whom you have accepted service. Based on your representations, including Momcozy’s response to Elvie’s Interrogatory No. 1, and Elvie’s further investigations, Elvie will agree to withdraw its position that Momcozy should accept service on behalf of this entity, without prejudice.

#### **Shenzhen TPH Technology Co., Ltd. (“TPH”)**

Based on the above, we have concerns accepting your representations regarding TPH being only the manufacturer for the older S12 and S9 products. We are continuing our investigation.

In view of all of the above, we do not think any further extension to the deadline for Momcozy to respond to Elvie’s August 14, 2023 Counterclaims is appropriate. Elvie has already agreed to a three-week extension to October 3, per your initial request. Elvie agreed that a further extension may be appropriate on the basis that you would accept service on the remaining Momcozy counterclaim defendants. Given the above, it appears that agreement will no longer be possible.

As for the typo issue, Elvie plans to amend its counterclaims shortly to add two additional patents issuing in a few weeks (as referenced in footnotes 1-2 in our Counterclaims), and will fix the citation at that time.

Please let us know of your availability for a meet-and-confer for Elvie’s motion for alternative service.

Regards,  
Josephine

**Josephine Kim**

Director

**Sterne, Kessler, Goldstein & Fox P.L.L.C.**

**Email:** [joskim@sternekessler.com](mailto:joskim@sternekessler.com)

**Direct:** 202.772.8896

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**From:** [Meiklejohn.Paul@dorsey.com](mailto:Meiklejohn.Paul@dorsey.com) <[Meiklejohn.Paul@dorsey.com](mailto:Meiklejohn.Paul@dorsey.com)>

**Sent:** Monday, September 4, 2023 10:42 PM

**To:** Josephine Kim <[JOSKIM@sternekessler.com](mailto:JOSKIM@sternekessler.com)>

**Cc:** [yang@shm.law](mailto:yang@shm.law); Nirav N. Desai <[NDESAI@sternekessler.com](mailto:NDESAI@sternekessler.com)>; [kolter.erin@dorsey.com](mailto:kolter.erin@dorsey.com)

**Subject:** RE: Conference Call

**EXTERNAL EMAIL:** Use caution before clicking links or attachments.

Hi Josephine,

On Thursday, Charli will send you a Zoom invite for September 12 at 6:30 PM ET.

Paul

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**From:** Josephine Kim <[JOSKIM@sternekessler.com](mailto:JOSKIM@sternekessler.com)>

**Sent:** Saturday, September 2, 2023 9:40 AM

**To:** Meiklejohn, Paul <[Meiklejohn.Paul@dorsey.com](mailto:Meiklejohn.Paul@dorsey.com)>

**Cc:** [yang@shm.law](mailto:yang@shm.law); Nirav N. Desai <[NDESAI@sternekessler.com](mailto:NDESAI@sternekessler.com)>

**Subject:** Re: Conference Call

EXTERNAL FROM OUTSIDE DORSEY. BE CAUTIOUS OF LINKS AND ATTACHMENTS.

Nirav and I can do 6:30pm ET on the 11th and 12th, but not on the 13th and 14th.

Thanks,  
Josephine

On Sep 1, 2023, at 10:37 PM, [meiklejohn.paul@dorsey.com](mailto:meiklejohn.paul@dorsey.com) wrote:

**EXTERNAL EMAIL:** Use caution before clicking links or attachments.

Hi Josephine,

I am trying to arrange a call between you, me and Wu to discuss acceptance of service. Would 6:30 PM on the 13<sup>th</sup> or 14<sup>th</sup>, your time, work for you?